



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Advisory Circular

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**Subject: PILOT RECORDS  
IMPROVEMENT ACT OF 1996,  
AS AMENDED**

**Date: 9/20/01**

**AC No: 120-68A**

**Initiated by: AFS-200/600    Change:**

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**1. PURPOSE.** This advisory circular (AC) provides information and standard forms that may be used to comply with some of the provisions of Title 49 United States Code (49 U.S.C.) § 44936(f), Records of Employment of Pilot Applicants; § 44936(g), Limitation on Liability; Preemption of State Law; and § 44936(h), Limitation on Statutory Construction. This law is commonly referred to as the Pilot Records Improvement Act of 1996 (PRIA) and is contained in Section 502 of Public Law 104-264. Public Law 104-264, Section 502, shall apply to any air carrier hiring an individual as a pilot whose application was first received by the carrier on or after the 120th day (February 6, 1997) following the date of the enactment (October 9, 1996) of PRIA.

**2. CANCELLATION.** Advisory Circular 120-68, Pilot Records Improvement Act of 1996, dated May 8, 1997, is canceled.

**3. APPLICABILITY.** The guidance provided herein applies to:

- a.** An air carrier hiring an individual as a pilot;
- b.** An air carrier, or other person, that has employed an individual as a pilot of a civil or public aircraft at any time during the 5-year period preceding the date of the individual's employment application to an air carrier; and
- c.** Any individual applying for a position as a pilot with an air carrier who has been employed as a pilot of a civil or public aircraft at any time during the 5-year period preceding the date of the individual's employment application to an air carrier.

**4. RELATED UNITED STATES CODE AND CODE OF FEDERAL REGULATIONS.**

- a.** Certain U.S. Transportation Laws in 49 U.S.C.
- b.** Title 14 of the Code of Federal Regulations (14 CFR) Parts 121, 125, and 135.
- c.** Title 49 of the Code of Federal Regulations (49 CFR).

**5. DEFINITIONS.** The following definitions are provided to assist the reader in understanding the provisions of the PRIA.

**a. Air Carrier (Reference: 49 U.S.C. § 40102(a)(2)).** A citizen of the United States undertaking by any means, directly or indirectly, to provide air transportation.

**b. Air Transportation (Reference: 49 U.S.C. § 40102(a)(5)).** Foreign air transportation, *interstate air transportation*, or the transportation of mail by aircraft.

**c. Interstate Air Transportation (Reference: 49 U.S.C. § 40102(a)(25)).** The transportation of passengers or property by aircraft as a *common carrier for compensation*, or the transportation of mail by aircraft, between a place in: (i) a State, territory, or possession of the United States and a place in the District of Columbia or another State, territory, or possession of the United States; (ii) Hawaii and another place in Hawaii through the airspace over a place outside Hawaii; (iii) the District of Columbia and another place in the District of Columbia; or, (iv) a territory or possession of the United States and another place in the same territory or possession; and, when any part of the transportation is by aircraft.

**(1) Common Carriage.** “Common carriage” is defined as “holding out” to the general public or to a segment of the public as being willing to furnish air transportation for compensation. Common carriage also includes the carriage of people or property for compensation in aircraft, even if such carriage does not involve the transportation of people or property from one place to another on the surface.

**(2) Holding Out.** “Holding out” can be accomplished in many ways, including advertising through the telephone yellow pages, billboards, television, and/or radio.

**d. Person (Reference: 1 U.S.C. § 1, and 49 U.S.C. § 40102(a)(33)).** A “person” includes corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individuals. It also includes a governmental authority, trustee, receiver, assignee, and other similar representative.

**e. Record.** As used in this advisory circular, “record” means the individual pilot's records that are maintained by an air carrier or person to meet the statutory requirements of 49 U.S.C. § 44936(f), and the records that are maintained by an air carrier or person to meet the regulatory requirements of the 14 CFR operating rule under which the air carrier or person operates.

**6. BACKGROUND.** On October 9, 1996, the President approved the Federal Aviation Reauthorization Act of 1996 (the Act) that was passed by Congress on October 3, 1996, as Public Law No. 104-264. The Act amended 49 U.S.C. to reauthorize programs of the Federal Aviation Administration (FAA), and to effect certain changes including pilot records. The PRIA was enacted primarily as a result of certain airline accidents attributable to pilot error, where it was later found that, although the pilot(s) had a history of poor performance, the current employer had not

investigated the pilot's background.<sup>1</sup> The PRIA was amended by Public Law 105-142, effective December 5, 1997, and by Public Law 106-181, effective April 5, 2000, to give relief to air carriers for unnecessary burdens that were not originally contemplated, and for other purposes. 49 U.S.C. § 44936(f), (g), and (h), as amended, are reprinted in Appendix 1.

## **7. EMPLOYMENT RECORDS OF PILOT APPLICANTS.**

**a. Records Requests.** Before allowing a pilot to begin service, the PRIA requires an employing air carrier to request and receive certain information concerning that individual. That information must include certain records from: (1) the FAA; (2) other air carriers or persons; and (3) the National Driver Register (see 49 U.S.C. § 44936(f)(1)).

**(1) Who must request records?** An "air carrier" as defined under 49 U.S.C. § 40102(a)(2). An air carrier is an entity that conducts foreign air transportation, interstate air transportation, or transports mail by aircraft. If an air carrier holds Operations Specifications that authorize foreign or interstate air transportation, or if the air carrier transports mail, such air carrier must comply with the PRIA.

**(2) Who must provide records?** Any air carrier or person, or a trustee in bankruptcy for an air carrier or person, that has employed the individual as a pilot of a civil or public aircraft at any time during the 5-year period preceding the date of the employment application.

**NOTE: Entities that employ pilots and maintain pilot records but are not air carriers must provide the records identified by PRIA to the requesting air carrier within the time specified.**

### **(3) What records must be provided?**

#### **(a) FAA Records (See 49 U.S.C. § 44936(f)(1)(A)):**

- 1** Current airman certificates with associated type ratings and limitations;
- 2** Current airman medical certificate including any limitations; and
- 3** Summaries of FAA legal enforcement actions resulting in a finding by the Administrator of a violation that was not subsequently overturned.

**(b) Air Carrier and Other Records (See 49 U.S.C. § 44936(f)(1)(B)).** Records required to be provided include:

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<sup>1</sup> United States Congress, House of Representatives Committee Report - House Rpt. 104-684, H.R. 3536, Airline Pilot Hiring and Safety Act of 1996, p. 6. 1996.

**1** Records pertaining to the individual that are maintained by an air carrier (other than records relating to flight time, duty time, or rest time) under regulations set forth in:

- (aa) Section 121.683 of 14 CFR Part 121;
- (bb) Paragraph (A) of section VI, Appendix I, Part 121;
- (cc) Paragraph (A) of section IV, Appendix J, Part 121;
- (dd) Section 125.401 of 14 CFR Part 125;
- (ee) Section 135.63(a)(4) of 14 CFR Part 135;
- (ff) Section 135.251(b) of Part 135; and
- (gg) Section 135.255(b) of Part 135.

**2** Other records pertaining to the *individual's performance as a pilot* that are maintained by the air carrier or person concerning:

- (aa) The training, qualifications, proficiency, or professional competence of the individual, including comments and evaluations made by a check airman designated in accordance with sections 121.411, 125.295, or 135.337 of 14 CFR;
- (bb) Any disciplinary action taken with respect to the individual that was not subsequently overturned; and
- (cc) Any release from employment or resignation, termination, or disqualification with respect to employment.

**b. Written Consent; Release From Liability.**

(1) An air carrier must obtain written consent from the individual before the individual's records are requested (see 49 U.S.C. § 44936(f)(2)(A)).

(2) Provided there is no other provision of law or agreement to the contrary, an air carrier making a request for records under 49 U.S.C. § 44936(f)(1) may require the individual who is the subject of the records to execute a release from liability for any claim arising from the furnishing of such records to or the use of such records by such air carrier [other than a claim arising from furnishing information known to be false and maintained in violation of a criminal statute] (see 49 U.S.C. § 44936(f)(2)(B)).

**c. Reporting Period.** An air carrier or person providing records shall not furnish a record if the record was entered more than 5 years before the date of the request, unless the information concerns

a revocation or suspension of an airman certificate or motor vehicle license that is in effect on the date of the request (see 49 U.S.C. § 44936(f)(3)).

**d. Maintaining Records.** The Administrator and air carriers shall maintain pilot records described in 49 U.S.C. § 44936(f)(1)(A) and (B) for a period of at least 5 years (see § 44936(f)(4)).

**NOTE: The statutory requirement of 49 U.S.C. § 44936(f)(4) to maintain records identified by PRIA for at least 5 years is independent of any regulatory requirement addressing other time periods for maintaining records. For example, if a regulation requires that a certain record be maintained for only 2 years, if that record falls within the ambit of PRIA, then that record must be kept for at least 5 years to comply with PRIA.**

**e. Receipt Of Consent -- Provision Of Information (See 49 U.S.C. § 44936(f)(5)).** A person furnishing a record in response to a request made under PRIA:

(1) Shall not furnish such records without first obtaining a copy of the written consent of the individual who is the subject of the records; and

(2) Shall furnish a copy of all such requested information not later than 30 days after receiving the request.

**f. Pilot Right To Receive Notice And Copies of Records (See 49 U.S.C. § 44936 (f)(6)).** A person receiving a request under PRIA must provide the individual who is the subject of the request:

(1) Within 20 days of receipt of the request, written notice of the request and of the individual's right to receive a copy of such records; and

(2) A copy of such records within a reasonable time, but not later than 30 days after the date of the request, if requested by the individual.

**NOTE: The statutory provision to provide the individual “written notice of the request and of the individual's right to receive a copy of such records” is addressed in FAA Form 8060-10, FAA Records Request (PRIA), and FAA Form 8060-11, Air Carrier and Other Records Request (PRIA). Air carriers or persons receiving FAA Form 8060-11, completed as specified in Appendix 3 of this AC, need not supply a second notice to the individual.**

**g. Reasonable Charges For Processing Requests And Furnishing Copies.** A person who receives a request for records under 49 U.S.C. § 44936(f)(1) or (6) may establish a reasonable fee for the cost of processing the request and furnishing copies of the records (see 49 U.S.C. § 44936(f)(7)).

(1) When the individual who is the subject of the records does not request a copy of the records, reasonable fees, if any, should be charged to the air carrier or person making the request.

(2) When the individual who is the subject of the records requests a copy of the records, reasonable fees, if any, should be charged separately to the person making the request and separately to the individual requesting a copy.

**NOTE: Although a reasonable fee may be charged for providing records, those records may NOT be withheld until payment is made. Records must be provided within 30 days of receipt of the request (see 49 U.S.C. § 44936(f)(5) and § 44936(f)(10)).**

**h. Standard Forms.** The Administrator is required to promulgate standard forms (see 49 U.S.C. § 44936(f)(8)). These standard forms may be used:

(1) By an air carrier to request records under 49 U.S.C. § 44936(f)(1);

(2) By an air carrier to obtain the written consent of the individual who is the subject of a request under 49 U.S.C. § 44936(f)(1) for the release of the records; and

(3) By a holder of records to inform the individual of:

(a) The request; and

(b) The individual right of that individual to receive a copy of any records furnished in response to the request.

**NOTE: Standard forms are provided in Appendices 2 through 4 of this AC.**

**i. Pilot Right To Correct Inaccuracies In Records.** *Before making a final hiring decision with respect to the individual*, an air carrier that maintains, or requests and receives, the records of an individual under 49 U.S.C. § 4936(f)(1) shall provide the individual with a reasonable opportunity to submit written comments to correct any inaccuracies contained in the records (see 49 U.S.C. § 44936 (f)(9)).

**j. Pilot Right To Review Records.** Unless there are other provisions of law or agreement to the contrary, a pilot has the statutory right to review his/her records (see 49 U.S.C. § 44936 (f)(10)). Upon written request from a pilot *who is or has been employed* by such air carrier:

(1) The air carrier shall make available to the pilot for review, any and all employment records referred to in 49 U.S.C. § 44936(f)(1)(B)(i) or (ii) pertaining to the employment of the pilot; and

(2) The air carrier shall provide a copy of the aforementioned records to the pilot within a reasonable time, but not later than 30 days after the date of the request from the pilot.

**k. Privacy Protections.** The PRIA requires the privacy of the individual who is the subject of the records to be protected (see 49 U.S.C. § 44936 (f)(11)). An air carrier that receives the records of an individual under 49 U.S.C. § 44936(f)(1):

(1) May use such records only to assess the qualifications of the individual in deciding whether or not to hire the individual as a pilot; and

(2) Shall take such actions as may be necessary to:

(a) Protect the privacy of the pilot;

(b) Protect the confidentiality of the records; and

(c) Ensure that information contained in the records is not divulged to any individual who is not involved in the hiring decision.

**l. Special Rules With Respect To Certain Pilots (See 49 U.S.C. § 44936(f)(14)).**

(1) **Pilots Of Certain Small Aircraft.** Before receiving the records required by 49 U.S.C. § 44936(f)(1), an air carrier may allow an individual to begin service for a period not to exceed 90 days as a pilot of an aircraft having a maximum payload capacity of 7,500 pounds or less (as defined in 14 CFR §119.3), or a helicopter, provided:

(a) The flight is not a scheduled operation (as defined in 14 CFR § 119.3);

(b) The air carrier obtains and evaluates the information required by 49 U.S.C. § 44936(f)(1) before the end of the 90-day period; and

(c) The contract between the air carrier and the individual contains a term that provides that the continuation of the individual's employment, after the last day of the 90-day period, depends on a satisfactory evaluation of any record received pursuant to a request under PRIA.

**(2) Good Faith Exception.**

(a) An air carrier may allow an individual to begin service as a pilot without obtaining information about the individual under 49 U.S.C. § 44936(f)(1)(B) from an air carrier or person that no longer exists; or, from a foreign government or entity that employed the individual, if the air carrier required to obtain the information has made a documented good faith attempt to obtain such information.

(b) Mail forwarded via the United States Postal Service (USPS) as “Certified, Return Receipt,” may be considered as a documented good faith attempt. Similarly, mail forwarded

through either the USPS or a private carrier that provides a documented delivery of the request may also be considered as a documented good faith attempt to obtain such information.

**NOTE: PRIA is silent on how long an air carrier must wait after making a documented good faith attempt for records and determining that no records are available. For air carriers that DO NOT fall within the exception at 49 U.S.C. 44936(f)(14), Special Rules With Respect To Certain Pilots, that time period must be longer than 30 days.**

**m. Electronic Access To FAA Records (See 49 U.S.C. § 44936(f)(15)).** On April 5, 2000, PRIA was amended to allow designated individuals electronic access to FAA records. The electronic access to FAA records was coordinated with industry and is designed specifically for the purpose of increasing timely and efficient access to FAA records described in 49 U.S.C. § 44936(f)(1)(A). Under the revised statute, the Administrator may allow, under terms established by the Administrator:

(1) An individual designated to have electronic access to a specified database containing such records.

(2) The terms established by the Administrator shall limit such access to instances in which information in the database is required by the designated individual in making a hiring decision concerning a pilot applicant, and shall require that the designated individual provide assurances satisfactory to the Administrator that information obtained using such access will not be used for any purpose other than making the hiring decision.

**NOTE: The FAA will provide further guidance on electronic access to FAA records prior to implementation.**

**n. Limitation On Liability (See 49 U.S.C. § 44936(g)(1)).** No action or proceeding may be brought by or on behalf of an individual who has applied for or is seeking a position with an air carrier as a pilot and who has signed a release from liability, as provided for under 49 U.S.C. § 44936(g)(2), against:

(1) The air carrier requesting the records of that individual under 49 U.S.C. § 44936(f)(1);

(2) A person who has complied with such request;

(3) A person who has entered information contained in the individual's records; or

(4) An agent or employee of a person described in 49 U.S.C. § 44936(g)(1)(A) or (B), in the nature of an action for:

(a) Defamation;



(b) Invasion of privacy;

(c) Negligence;

(d) Interference with contract, or otherwise; or

(e) Under any Federal or State law with respect to the furnishing or use of such records in accordance with 49 U.S.C. § 44936(f).

**o. Preemption (See 49 U.S.C. § 44936(g)(2)).** No State or political subdivision thereof may enact, prescribe, issue, continue in effect, or enforce any law (including any regulation, standard, or other provision having the force and effect of law) that prohibits, penalizes, or imposes liability for furnishing or using records in accordance with 49 U.S.C. § 44936(f).

**p. Provision Of Knowingly False Information (See 49 U.S.C. § 44936(g)(3)).** Paragraphs (1) and (2) of 49 U.S.C. § 44936(g) shall not apply with respect to a person who furnishes information in response to a request made under 49 U.S.C. § 44936(f)(1) that:

(1) The person knows is false; and

(2) Was maintained in violation of a criminal statute of the United States.

**q. Limitation On Statutory Construction (See 49 U.S.C. § 44936(h)).** Nothing in 49 U.S.C. § 44936(f) shall be construed as precluding the availability of the records of a pilot in an investigation or other proceeding concerning an accident or incident conducted by the Administrator, the National Transportation Safety Board, or a court.

**8. STANDARD FORMS.** 49 U.S.C. § 44936(f)(8) requires the Administrator to promulgate standard forms that may be used by air carriers to request records. By using FAA standard forms and by following the specific instructions for those forms, an air carrier requesting pilot records may significantly expedite response time. Copies of the standard forms may be downloaded from the Internet at <http://www.faa.gov/avr/afs/afshome.htm> by clicking on the Flight Standards Forms link. Requests for FAA records pertaining to the current airman medical certificate, current airman certificates and associated type ratings, including any limitations to those certificates and ratings, and summaries of legal enforcement actions covered under 49 U.S.C. § 44936(f) should be transmitted via one of the following means.

**(1) Regular mail through the United States Postal Service (USPS):**

Federal Aviation Administration  
Attn.: Aviation Data Systems Branch, AFS-620 (PRIA)  
PO Box 268872  
Oklahoma City, OK 73126-8872  
(405) 954-0990  
FAX (405) 954-4655

**(2) Expedited mail service through USPS or private carrier:**

Federal Aviation Administration  
Attn.: Aviation Data Systems Branch, AFS-620 (PRIA)  
6500 S. MacArthur Blvd., ARB Room 313  
Oklahoma City, OK 73169  
(405) 954-0990  
FAX (405) 954-4655

**b. FAA Form 8060-11, Air Carrier and Other Records Request (PRIA) -- Appendix 3.**

Requests for air carrier and other records pertaining to the individual should be submitted directly to the applicable air carrier or person that previously employed the individual at any time during the 5-year period preceding the date of employment application.

**c. National Driver Register (NDR) Record Request -- Appendix 4.**

(1) The National Highway Traffic Safety Administration (NHTSA) is responsible for administering the NDR portion of a record request under 49 U.S.C. § 44936(f). Requests for NDR records should be made directly to any state motor vehicle agency. NHTSA maintains an Internet database with current addresses and telephone numbers for State motor vehicle agencies that may be accessed at <http://www.nhtsa.dot.gov/people/performance/driver/>. A sample form that the States may use to request NDR information from the NDR is located in Appendix 4.

**(2) Questions concerning NDR records may be addressed to:**

National Highway Traffic Safety Administration  
Attn.: National Driver Register (NTS-32)  
400 7th Street, SW.  
Washington, D.C. 20590  
(202) 366-4800

**9. REQUEST FOR INFORMATION CONCERNING 49 U.S.C. § 44936(f).** All information requests and/or questions pertaining to 49 U.S.C. § 44936(f) should be addressed to:

Federal Aviation Administration  
Attn.: Air Transportation Division, AFS-200  
800 Independence Avenue, SW.  
Washington, D.C. 20591  
(202) 267-8166

**NOTE: Do not mail FAA Records Requests (PRIA) to this address – use the address listed in paragraph 8a(1) or (2).**

**10. INTERNET.** Electronic copies of this AC may be downloaded from the internet at <http://www.faa.gov/avr/afs/afshome.htm> by clicking on the Flight Standards Advisory Circular Index link. Electronic copies of the standard forms may be downloaded from the Internet at <http://www.faa.gov/avr/afs/afshome.htm> by clicking on the Flight Standards Forms link.

/s/

Nicholas A. Sabatini

Director, Flight Standards Service



**Appendix 1.****Pilot Records Improvement Act of 1996****Public Law 104-264, Section 502, October 9, 1996, (effective 02/06/97)****As Amended by Public Law 105-142 (effective 12/06/97) and****Public Law 106-181(effective 04/05/00), 49 U.S.C. 44936**

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Title 49 United States Code (49 U. S. C.) § 44936:

**(f) RECORDS OF EMPLOYMENT OF PILOT APPLICANTS.**

**(1) IN GENERAL.** Subject to paragraph (14), before allowing an individual to begin service as a pilot, an air carrier shall request and receive the following information:

(A) FAA RECORDS. From the Administrator of the Federal Aviation Administration, records pertaining to the individual that are maintained by the Administrator concerning--

(i) current airman certificates (including airman medical certificates) and associated type ratings, including any limitations to those certificates and ratings; and

(ii) summaries of legal enforcement actions resulting in a finding by the Administrator of a violation of this title or a regulation prescribed or order issued under this title that was not subsequently overturned.

(B) AIR CARRIER AND OTHER RECORDS. From any air carrier or other person, except a branch of the United States Armed Forces, the National Guard, or a reserve component of the United States Armed Forces, that has employed the individual as a pilot of a civil or public aircraft at any time during the 5-year period preceding the date of the employment application of the individual, or from the trustee in bankruptcy for such air carrier or person--

(i) records pertaining to the individual that are maintained by an air carrier (other than records relating to flight time, duty time, or rest time) under regulations set forth in--

(I) section 121.683 of title 14, Code of Federal Regulations;

(II) paragraph (A) of section VI, appendix I, part 121 of such title;

(III) paragraph (A) of section IV, appendix J, part 121 of such title;

(IV) section 125.401 of such title; and

(V) section 135.63(a)(4) of such title; and

(ii) other records pertaining to the individual's performance as a pilot that are maintained by the air carrier or person concerning--

(I) the training, qualifications, proficiency, or professional competence of the individual, including comments and evaluations made by a check airman designated in accordance with section 121.411, 125.295, or 135.337 of such title;

(II) any disciplinary action taken with respect to the individual that was not subsequently overturned; and

(III) any release from employment or resignation, termination, or disqualification with respect to employment.

(C) NATIONAL DRIVER REGISTER RECORDS. In accordance with section 30305(b)(8), from the chief driver licensing official of a State, information concerning the motor vehicle driving record of the individual.

**(2) WRITTEN CONSENT; RELEASE FROM LIABILITY.** An air carrier making a request for records under paragraph (1)--

(A) shall be required to obtain written consent to the release of those records from the individual that is the subject of the records requested; and

(B) may, notwithstanding any other provision of law or agreement to the contrary, require the individual who is the subject of the records to request to execute a release from liability for any claim arising from the furnishing of such records to or the use of such records by such air carrier (other than a claim arising from furnishing information known to be false and maintained in violation of a criminal statute).

**(3) 5-YEAR REPORTING PERIOD.** A person shall not furnish a record in response to a request made under paragraph (1) if the record was entered more than 5 years before the date of the request, unless the information concerns a revocation or suspension of an airman certificate or motor vehicle license that is in effect on the date of the request.

**(4) REQUIREMENT TO MAINTAIN RECORDS.** The Administrator and air carriers shall maintain pilot records described in paragraphs (1)(A) and (1)(B) for a period of at least 5 years.

**(5) RECEIPT OF CONSENT; PROVISION OF INFORMATION.** A person shall not furnish a record in response to a request made under paragraph (1) without first obtaining a copy of the written consent of the individual who is the subject of the records requested; except that, for the purposes of paragraph (15), the Administrator may allow an individual designated by the Administrator to accept and maintain written consent on behalf of the Administrator for records requested under paragraph (1)(A). A person who receives a request for records under this subsection shall furnish a copy of all of such requested records maintained by the person not later than 30 days after receiving the request.

**(6) RIGHT TO RECEIVE NOTICE AND COPY OF ANY RECORD FURNISHED.** A person who receives a request for records under paragraph (1) shall provide to the individual who is the subject of the records--

(A) on or before the 20th day following the date of receipt of the request, written notice of the request and of the individual's right to receive a copy of such records; and

(B) in accordance with paragraph (10), a copy of such records, if requested by the individual.

**(7) REASONABLE CHARGES FOR PROCESSING REQUESTS AND FURNISHING COPIES.** A person who receives a request under paragraph (1) or (6)

may establish a reasonable charge for the cost of processing the request and furnishing copies of the requested records.

**(8) STANDARD FORMS.** The Administrator shall promulgate--

(A) standard forms that may be used by an air carrier to request records under paragraph (1); and

(B) standard forms that may be used by an air carrier to--

(i) obtain the written consent of the individual who is the subject of a request under paragraph (1); and

(ii) inform the individual of--

(I) the request; and

(II) the individual right of that individual to receive a copy of any records furnished in response to the request.

**(9) RIGHT TO CORRECT INACCURACIES.** An air carrier that maintains or requests and receives the records of an individual under paragraph (1) shall provide the individual with a reasonable opportunity to submit written comments to correct any inaccuracies contained in the records before making a final hiring decision with respect to the individual.

**(10) RIGHT OF PILOT TO REVIEW CERTAIN RECORDS.** Notwithstanding any other provision of law or agreement, an air carrier shall, upon written request from a pilot who is or has been employed by such carrier, make available, within a reasonable time, but not later than 30 days after the date of the request, to the pilot for review, any and all employment records referred to in paragraph (1)(B) (i) or (ii) pertaining to the employment of the pilot.

**(11) PRIVACY PROTECTIONS.** An air carrier that receives the records of an individual under paragraph (1) may use such records only to assess the qualifications of the individual in deciding whether or not to hire the individual as a pilot. The air carrier shall take such actions as may be necessary to protect the privacy of the pilot and the confidentiality of the records, including ensuring that information contained in the records is not divulged to any individual that is not directly involved in the hiring decision.

**(12) PERIODIC REVIEW.** Not later than 18 months after the date of the enactment of the Pilot Records Improvement Act of 1996 [enacted Oct. 9, 1996], and at least once every 3 years thereafter, the Administrator shall transmit to Congress a statement that contains, taking into account recent developments in the aviation industry—

(A) recommendations by the Administrator concerning proposed changes to Federal Aviation Administration records, air carrier records, and other records required to be furnished under subparagraphs (A) and (B) of paragraph (1); or

(B) reasons why the Administrator does not recommend any proposed changes to the records referred to in subparagraph (A).

**(13) REGULATIONS.** The Administrator shall prescribe such regulations as may be necessary--

(A) to protect--

(i) the personal privacy of any individual whose records are requested under paragraph (1) and disseminated under paragraph (15); and

(ii) the confidentiality of those records;

(B) to preclude the further dissemination of records received under paragraph (1) by the person who requested those records; and

(C) to ensure prompt compliance with any request made under paragraph (1).

**(14) SPECIAL RULES WITH RESPECT TO CERTAIN PILOTS.**

(A) PILOTS OF CERTAIN SMALL AIRCRAFT. Notwithstanding paragraph (1), an air carrier, before receiving information requested about an individual under paragraph (1), may allow the individual to begin service for a period not to exceed 90 days as a pilot of an aircraft with a maximum payload capacity (as defined in section 119.3 of title 14, Code of Federal Regulations) of 7,500 pounds or less, or a helicopter, on a flight that is not a scheduled operation (as defined in such section). Before the end of the 90-day period, the air carrier shall obtain and evaluate such information. The contract between the carrier and the individual shall contain a term that provides that the continuation of the individual's employment, after the last day of the 90-day period, depends on a satisfactory evaluation.

(B) GOOD FAITH EXCEPTION. Notwithstanding paragraph (1), an air carrier, without obtaining information about an individual under paragraph (1)(B) from an air carrier or other person that no longer exists or from a foreign government or entity that employed the individual, may allow the individual to begin service as a pilot if the air carrier required to request the information has made a documented good faith attempt to obtain such information.

**(15) ELECTRONIC ACCESS TO FAA RECORDS.** For the purpose of increasing timely and efficient access to Federal Aviation Administration records described in paragraph (1), the Administrator may allow, under terms established by the Administrator, an individual designated by the air carrier to have electronic access to a specified database containing information about such records. The terms shall limit such access to instances in which information in the database is required by the designated individual in making a hiring decision concerning a pilot applicant and shall require that the designated individual provide assurances satisfactory to the Administrator that information obtained using such access will not be used for any purpose other than making the hiring decision.

**(g) LIMITATION ON LIABILITY; PREEMPTION OF STATE LAW.**

**(1) LIMITATION ON LIABILITY.** No action or proceeding may be brought by or on behalf of an individual who has applied for or is seeking a position with an air carrier as a pilot and who has signed a release from liability, as provided for under paragraph (2), against--



(A) the air carrier requesting the records of that individual under subsection (f)(1);

(B) a person who has complied with such request;

(C) a person who has entered information contained in the individual's records;

or

(D) an agent or employee of a person described in subparagraph (A) or (B); in the nature of an action for defamation, invasion of privacy, negligence, interference with contract, or otherwise, or under any Federal or State law with respect to the furnishing or use of such records in accordance with subsection (f).

**(2) PREEMPTION.** No State or political subdivision thereof may enact, prescribe, issue, continue in effect, or enforce any law (including any regulation, standard, or other provision having the force and effect of law) that prohibits, penalizes, or imposes liability for furnishing or using records in accordance with subsection (f).

**(3) PROVISION OF KNOWINGLY FALSE INFORMATION.** Paragraphs (1) and (2) shall not apply with respect to a person who furnishes information in response to a request made under subsection (f)(1), that--

(A) the person knows is false; and

(B) was maintained in violation of a criminal statute of the United States.

**(h) LIMITATION ON STATUTORY CONSTRUCTION.** Nothing in subsection (f) shall be construed as precluding the availability of the records of a pilot in an investigation or other proceeding concerning an accident or incident conducted by the Administrator, the National Transportation Safety Board, or a court.



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**APPENDIX 2. OVERVIEW OF FAA FORM 8060-10, FAA RECORDS REQUEST (PRIA) --  
PILOT RECORDS IMPROVEMENT ACT OF 1996**

**NOTICE:** Request will not be deemed received or valid unless Parts I through III are completed as specified in the instructions for the form.

1. **Part I – Records Request (PRIA).** Part I is used by the air carrier to request certain pilot records maintained by the Federal Aviation Administration (FAA). The FAA will provide records reflecting current airman medical certificate, current airman certificates and associated type ratings, including any limitations to those certificates and ratings. The FAA will also conduct a search of the Enforcement Information System and provide a summary of legal enforcement actions resulting in a finding by the Administrator of a violation of Title 49 U.S.C. or a regulation prescribed or order issued under this Title that has not been subsequently overturned [as provided in 49 U.S.C. § 44936(f)(1)(A)(ii)].

2. **Part II – Airman Consent to Release of Records.** Part II is used by the requesting air carrier to obtain written consent for the release of the records from the individual who is the subject of the records requested.

3. **Part III – Airman Notice and Right to Receive Copy.**

a. Part III is used by the FAA to:

(1) Notify the airman that he/she is the subject of an FAA records request; and

(2) Notify the airman of his/her right to receive a copy of any and all records furnished by the FAA to the air carrier making the request.

b. Part III is used by the airman to:

(1) Waive the requirement that the FAA also provide separate notification of the request and the airman's right to receive a copy of all records furnished in response to the request; and

(2) Notify the FAA whether the airman desires a copy of any record furnished.

4. **Furnishing Records.** A person who receives a request for records under 49 U.S.C. § 44936(f) shall furnish a copy of all such requested records maintained by the person not later than 30 days after receiving the request.

5. **Reasonable Charges.** 49 U.S.C. § 44936(f)(7) allows for reasonable charges for processing requests and furnishing copies of requested records.

6. **Mailing Address.** Requests for FAA records should be addressed as follows:

a. Regular mail through the United States Postal Service (USPS).

Federal Aviation Administration  
Attn.: Aviation Data Systems Branch,  
AFS-620 (PRIA)  
PO Box 268872  
Oklahoma City, OK 73126-8872  
(405) 954-0990  
FAX (405) 954-4655

b. Expedited mail service through the USPS or private carrier.

Federal Aviation Administration  
Attn.: Aviation Data Systems Branch,  
AFS-620 (PRIA)  
6500 S. MacArthur Blvd., ARB Room 313  
Oklahoma City, OK 73169  
(405) 954-0990  
FAX (405) 954-4655



**FIGURE 1. FAA FORM 8060-10, FAA RECORDS REQUEST (PRIA) -- PILOT RECORDS IMPROVEMENT ACT OF 1996 (FRONT)**

<b>FAA RECORDS REQUEST (PRIA) -- PILOT RECORDS IMPROVEMENT ACT OF 1996</b>	
U.S. Department of Transportation  <b>Federal Aviation Administration</b>	Title 49 U.S.C. § 44936(f), Records of Employment of Pilot Applicants, As Amended  <b>NOTICE: Request will not be deemed received or valid unless Parts I through III are completed as specified in the instructions</b>
<b>PART I: RECORDS REQUEST (PRIA)</b>  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           _____, <b>(Air Carrier Name)</b>            records pertaining to the airman consenting in Part II below concerning: (i) current airman medical certificate, current airman certificates and associated type ratings, including any limitations to those certificates and ratings; and, (ii) summaries of legal enforcement actions resulting in a finding by the Administrator of a violation of Title 49 U.S.C. or a regulation prescribed or order issued under this Title that was not subsequently overturned [as provided by 49 U.S.C. § 44936(f)(1)(A)].         </div> <div style="width: 45%;">           _____, <b>(Air Carrier Certificate #)</b> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;">           Name: _____            (Print -- Air Carrier Representative)         </div> <div style="width: 45%;">           Title: _____            (Print -- Title of Air Carrier Representative)         </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;">           Signature: _____            (Air Carrier Representative)         </div> <div style="width: 45%;">           Date: _____         </div> </div> <div style="margin-top: 10px;">           Mail Records To: _____            _____            _____         </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;">           Telephone: _____         </div> <div style="width: 45%;">           FAX: _____         </div> </div>	
<b>PART II: AIRMAN CONSENT TO RELEASE OF RECORDS</b>  I, _____, consent to and authorize the Federal Aviation Administration to release records concerning: (i) my current airman medical certificate, current airman certificates and associated type ratings, including any limitations to those certificates and ratings; and, (ii) summaries of legal enforcement actions resulting in a finding by the Administrator of a violation by me of Title 49 U.S.C. or a regulation prescribed or order issued under this Title that was not subsequently overturned, to the air carrier named in Part I above.  <div style="margin-left: 100px;">             Airman Certificate Number(s): _____              _____           </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;">             Signature: _____  <b>(Not valid unless signed and dated)</b> </div> <div style="width: 45%;">             Date: _____           </div> </div>	
<b>PART III: AIRMAN NOTICE AND RIGHT TO RECEIVE COPY</b>  Pursuant to 49 U.S.C. § 44936(f)(6), you are hereby notified of the foregoing FAA Records Request (PRIA) and that you are entitled to a copy of any and all records furnished by the Federal Aviation Administration in response to the request made in Part I above. My signature below serves to waive the requirement under 49 USC § 44936(f)(6) that the FAA, which is a person receiving the PRIA request, also provide me with notification of the request and of my right to receive a copy of all records furnished in response to that request. I may request a copy of such records by checking the appropriate box below.	
<div style="display: flex; justify-content: space-between; margin-bottom: 20px;"> <div style="width: 45%;"> <input type="checkbox"/> YES, I want a copy of the furnished records.         </div> <div style="width: 45%;"> <input type="checkbox"/> NO, I do not want a copy of the furnished records.         </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">             Signature: _____  <b>(Not valid unless signed and dated)</b> </div> <div style="width: 45%;">             Date: _____           </div> </div>	
<b>Requests for FAA records should be addressed as follows:</b>	
Regular mail through the United States Postal Service (USPS).  Federal Aviation Administration Attn.: Aviation Data Systems Branch, AFS-620 (PRIA) PO Box 268872 Oklahoma City, OK 73126-8872	Expedited mail service through the USPS or private carrier.  Federal Aviation Administration Attn.: Aviation Data Systems Branch, AFS-620 (PRIA) 6500 S. MacArthur Blvd., ARB Room 313 Oklahoma City, OK 73169

**FIGURE 1 (CONTINUED). FAA FORM 8060-10, FAA RECORDS REQUEST (PRIA) --  
PILOT RECORDS IMPROVEMENT ACT OF 1996 (BACK)**

**INSTRUCTIONS: FAA FORM 8060-10, FAA RECORDS REQUEST (PRIA) -- PILOT RECORDS  
IMPROVEMENT ACT OF 1996, TITLE 49 U.S.C § 44936(f), Records of Employment of Pilot Applicants.**

Air carriers **should** use this form to request FAA Records from the Federal Aviation Administration.

Requests for FAA records should be addressed as follows:

Regular mail through the United States Postal Service (USPS).	Expedited mail service through the USPS or private carrier.
Federal Aviation Administration Attn.: Aviation Data Systems Branch, AFS-620 (PRIA) PO Box 268872 Oklahoma City, OK 73126-8872 Phone: (405) 954-0990 FAX: (405) 954-4655	Federal Aviation Administration Attn.: Aviation Data Systems Branch, AFS-620 (PRIA) 6500 S. MacArthur Blvd., ARB Room 313 Oklahoma City, OK 73169 Phone: (405) 954-0990 FAX: (405) 954-4655

**NOTICE**

**Request will not be deemed received or valid unless Parts I through III are completed as specified below.**

This form may be photocopied for use.

This form is available on the Internet at <http://www.faa.gov/avr/afs/afshome.htm>. Click on the Flight Standards Forms link. A separate form must be used for each airman whose records are requested.

**DO NOT enter information on this form such as date of birth, social security number, home address, or other information in which the airman may have a reasonable expectation of privacy.**

**PAPERWORK REDUCTION ACT STATEMENT.** 49 United States Code (49 U.S.C.) § 44936(f), Records of Employment of Pilot Applicants, as amended, requires all air carriers to request FAA records and Air Carrier and Other Records concerning an individual before allowing that individual to begin service as a pilot. 49 U.S.C. § 44936(f)(8) requires the FAA Administrator to promulgate standard forms to request records. The information entered on the standard forms will be used to facilitate search and retrieval of the required records. It is estimated that the average burden per respondent associated with the collection of FAA Records [this collection] is 10 minutes. If you wish to comment on the accuracy of this estimate or submit suggestions for reducing the burden, you may write to: Federal Aviation Administration, Air Transportation Division, AFS-200, 800 Independence Avenue, SW, Washington, DC 20591. The requirement to collect background information on the pilots before allowing the pilot to begin service is mandatory; the use of this form is not. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The control number assigned to this collection is 2120-0607.

**Part I:** To be completed by the Air Carrier.

1. All entries, except for signature, must be either type written or printed legibly with black or dark blue ink.
2. The name, title, and signature of the person making the request on behalf of the air carrier must be legibly entered.
3. A complete mailing address must be furnished to which FAA can mail the requested records.

**Part II:** To be completed by Airman/Applicant.

1. All entries, except for signature, must be either type written or printed legibly with black or dark blue ink.
2. In the first blank, type or print your name as it is shown on your airman certificate(s).
3. Type or print your airman certificate number(s) in the blank provided. In parenthesis after the certificate number, indicate the type of certificate by using S (Student), P (Private), C (Commercial), F (Flight Instructor), G (Ground Instructor), or A (Airline Transport Pilot). If you have multiple certificates with the same certificate number, list the certificate number once and indicate the types of certificates in parenthesis. For example, if you hold an Airline Transport Pilot Certificate as well as Flight Instructor and Ground Instructor Certificates using the same number, you should indicate as follows: Certificate No. 456231234 (A, F, G)

**Part III:** To be completed by Airman/Applicant.

1. 49 U.S.C. § 44936(f)(6) requires the person receiving a records request to notify the airman of the request, and further entitles the airman who is the subject of the request the right to receive a complete copy of all FAA records furnished in response to a request made by the air carrier listed in Part 1 of this request. Because FAA Form 8060-10 provides the airman with this notification, a separate notification from the FAA would be redundant. The airman's signature on Part III waives the requirement of 49 U.S.C. § 44936(f)(6) that the FAA also provide separate notification of the request and the airman's right to receive a copy of all records furnished in response to the request.
2. Check the appropriate box to indicate whether you DO or DO NOT want a copy, date & sign in ink using your legal signature. If requested, copies will be mailed to the official address shown in your airman records.

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**APPENDIX 3. OVERVIEW OF FAA FORM 8060-11, AIR CARRIER AND OTHER  
RECORDS REQUEST (PRIA) -- PILOT RECORDS IMPROVEMENT  
ACT OF 1996**

**NOTICE:** Request will not be deemed received or valid unless Parts I through III are completed as specified in the instructions for the form.

1. **Part I – Records Request (PRIA).** Part I is used by the air carrier to request certain records of the pilot from any air carrier or other person that has employed the individual at any time during the 5-year period preceding the date of the employment application of the individual, or from the trustee in bankruptcy for such air carrier or other person. The records that must be provided are identified in 49 U.S.C. § 44936 f(1)(B).

2. **Part II – Airman Consent to Release of Records.** Part II is used by the air carrier to obtain written consent to the release of the records from the airman who is the subject of the records requested.

3. **Part III – Airman Notice and Right To Receive Copy.**

a. Part III is used by the air carrier or other person(s) to:

(1) Notify the airman that he/she is the subject of a request; and

(2) Notify the airman of his/her right to receive a copy of any such records furnished.

b. Part III is used by the airman to:

(1) Waive the requirement that the air carrier or person(s) providing the records also provide separate notification of the request and the airman's right to receive a copy of all records furnished in response to the request; and

(2) Notify the air carrier or other person(s) whether the airman desires a copy of any record furnished.


4. **Furnishing Records.** A person who receives a request for records under 49 U.S.C. § 44936(f) shall furnish a copy of all such requested records maintained by the person not later than 30 days after receiving the request.

5. **Reasonable Charges.** 49 U.S.C. § 44936(f)(7) allows for reasonable charges for processing requests and furnishing copies of requested records.





**FIGURE 1. FAA FORM 8060-11, AIR CARRIER AND OTHER RECORDS REQUEST (PRIA) -- PILOT RECORDS IMPROVEMENT ACT OF 1996 (FRONT)**

 U.S. Department of Transportation  <b>Federal Aviation Administration</b>	<b>AIR CARRIER AND OTHER RECORDS REQUEST (PRIA) -- PILOT RECORDS IMPROVEMENT ACT OF 1996</b>  Title 49 U.S.C. § 44936(f), Records of Employment of Pilot Applicants, As Amended  <b>NOTICE: Request will not be deemed received or valid unless Parts I through III are completed as specified in the instructions</b>
<b>PART I: RECORDS REQUEST (PRIA)</b> To: _____ _____ _____ _____, hereby requests (Air Carrier Name) (Air Carrier Certificate #) copies of records as required under 49 U.S.C. § 44936(f)(1)(B), as amended, pertaining to the airman consenting in Part II below.  Name: _____ Title: _____ (Print -- Air Carrier Representative) (Print -- Title of Air Carrier Representative)  Signature: _____ Date: _____ (Air Carrier Representative)  Mail Records To: _____ _____ Telephone: _____ FAX: _____ _____	
<b>PART II: AIRMAN CONSENT TO RELEASE OF RECORDS</b> I, _____, consent to and authorize my current or previous employer (Print -- Airman's First, Middle, and Last Name) _____ to release records (Print -- Employer Name) pertaining to me as required under 49 U.S.C. § 44936(f)(1)(B) to the air carrier named in Part I above.  Airman Certificate Number(s): _____ _____  Signature: _____ Date: _____ (Not valid unless signed and dated)	
<b>PART III: AIRMAN NOTICE AND RIGHT TO RECEIVE COPY</b> Pursuant to 49 U.S.C. § 44936(f)(6), you are hereby notified of the foregoing Air Carrier and Other Records Request (PRIA) and that you are entitled to a copy of any and all records furnished in response to the request made in Part I above. My signature below serves to waive the requirement under 49 USC § 44936(f)(6) that the person(s) identified in Part I above, which is a person receiving the PRIA request, also provide me with notification of the request and of my right to receive a copy of all records furnished in response to that request. I may request a copy of such records by checking the appropriate box below.  <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> YES, I want a copy of the furnished records.         </div> <div> <input type="checkbox"/> NO, I do not want a copy of the furnished records.         </div> </div> Signature: _____ Date: _____ (Not valid unless signed and dated)	
FAA Form 8060-11 (Revised 09/2001) Previous editions are obsolete <span style="float: right;">OMB No. 2120-0607</span>	

**FIGURE 1 (CONTINUED). FAA FORM 8060-11, AIR CARRIER AND OTHER RECORDS REQUEST (PRIA) -- PILOT RECORDS IMPROVEMENT ACT OF 1996 (BACK)**

**INSTRUCTIONS: FAA Form 8060-11, AIR CARRIER AND OTHER RECORDS REQUEST (PRIA) -- PILOT RECORDS IMPROVEMENT ACT OF 1996, TITLE 49 U.S.C § 44936(f), Records of Employment of Pilot Applicants.**

Air carriers **should** use this form to request records from current and/or past employers as contemplated under 49 U.S.C. § 44936(f).

**NOTICE**

**Request will not be deemed received or valid unless Parts I through III are completed as specified below.**

**A person who receives a request for records under 49 U.S.C. § 44936(f)(1) shall furnish a copy of all such requested records maintained by the person not later than 30 days after receiving the request (see 49 U.S.C. § 44936(f)(5)).**

This form may be photocopied for use.

This form is available on the Internet at <http://www.faa.gov/avr/afs/afshome.htm>. Click on the Flight Standards Forms link.

A separate form must be used for each airman whose records are requested.

**DO NOT use this form to request Pilot Records from the Federal Aviation Administration.**

**PAPERWORK REDUCTION ACT STATEMENT.** 49 United States Code (49 U.S.C.) § 44936(f), Records of Employment of Pilot Applicants, as amended, requires all air carriers to request FAA records and Air Carrier and Other Records concerning an individual before allowing that individual to begin service as a pilot. 49 U.S.C. § 44936(f)(8) requires the FAA Administrator to promulgate standard forms to request records. The information entered on the standard forms will be used to facilitate search and retrieval of the required records. It is estimated that the average burden per respondent associated with the collection of Air Carrier and Other Records [this collection] is 30 minutes. If you wish to comment on the accuracy of that estimate or submit suggestions for reducing the burden, you may write to: Federal Aviation Administration, Air Transportation Division, AFS-200, 800 Independence Avenue, SW, Washington, DC 20591. The requirement to collect background information on the pilots before allowing the pilot to begin service is mandatory; the use of this form is not. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The control number assigned to this collection is 2120-0607.

**Part I: To be completed by the Air Carrier.**

1. All entries, except for signature, must be either type written or printed legibly with black or dark blue ink.
2. The name, title, and signature of the person making the request on behalf of the air carrier must be legibly entered.
3. A complete mailing address must be furnished to facilitate processing the request.

**Part II: To be completed by Airman/Applicant.**

1. All entries, except for signature, must be either type written or printed legibly with black or dark blue ink.
2. In the first blank, type or print your name as it is shown on your airman certificate(s).
3. Sign the Consent portion of the form in ink using your legal signature.
4. Type or print your certificate number(s) in the blank provided. In parentheses after the Certificate number, indicate the type of certificate by using S for Student, P for Private, C for Commercial, F for Flight Instructor, G for Ground Instructor, or A for Airline Transport Pilot. If you have multiple certificates that use the same certificate number, list the certificate number once and indicate the types of certificates in parenthesis. For example, if you hold an Air Line Transport Pilot Certificate as well as Flight Instructor and Ground Instructor Certificates using the same number, you should indicate as follows: Certificate No. 456231234 (A,F,G)

**Part III: To be completed by Airman/Applicant.**

1. 49 U.S.C. § 44936(f)(6) requires the person receiving a records request to notify the airman of the request, and further entitles the airman signing FAA Form 8060-11 the right to receive a complete copy of all records furnished in response to a request made by an air carrier. Because FAA Form 8060-11 provides the airman with this notification, a separate notification from the person or air carrier providing the records would be redundant. The airman's signature on Part III waives the requirement of 49 U.S.C. § 44936(f)(6) that the person(s) or air carrier(s) receiving the records request also provide separate notification of the request and the airman's right to receive a copy of all records furnished in response to the request.
2. Check the appropriate box to indicate whether you DO or DO NOT want a copy of the records, date & sign in ink using your legal signature. An address for mailing the records must be provided; or, furnish appropriate handling instructions.

**APPENDIX 4. NATIONAL DRIVER REGISTER (NDR) RECORD REQUEST**

**1. Part I – NDR Record Request.** The NDR Record Request is used by the air carrier to request NDR records about an individual seeking employment with the air carrier. Forms can be obtained from the State motor vehicle agency where the air carrier is located. The National Highway Traffic Safety Administration (NHTSA) maintains an Internet database with current addresses and telephone numbers for State motor vehicle agencies. This information may be accessed via the Internet at <http://www.nhtsa.dot.gov/people/perform/driver/>.

**a. Probable Identification.** The NDR will identify probable matches that require further inquiry for verification. It is strongly recommended that air carriers verify matches with State(s) of record.

**b. Identification Information.** Records received from the NDR will contain only identification information about the individual, provided by the State(s) that reported the information to the NDR. Specific information regarding the nature of the action that caused the individual to be listed on the NDR will not be provided. Such information should be requested by the air carrier from State(s) of record, after the air carrier verifies that the driver identified in the NDR record and the applicant are the same individual.

**c. Period of Availability.** Information will not be provided by the NDR if the information was reported to the NDR more than 5 years before the date of the request, unless the information relates to a suspension or revocation of driving privileges that is still in effect on the date of the request.

**2. Part II - Consent to Request Records.** Used to obtain written consent to the release of the records from the individual who is seeking employment with the air carrier. Requests will not be deemed received or valid if consent has not been provided.

**a.** To submit a request (with the consent) for the NDR check through a State chief driver licensing official, the individual must provide proof of identification in accordance with State procedures. Acceptable forms of identification may include a notarized signature or, if the consent is delivered by the individual in person, a driver's license, birth certificate, credit card, employee identification card, or other form of identification normally accepted by the State.

**3. Part III – Notice to Prospective Employee.** Serves as notice to prospective employees: (a) of the request; and (b) of their right to receive a copy of any records furnished by submitting a request for such records.

**NOTE:** Under the provisions of the Privacy Act, an individual may request his or her own report(s) at any time from the NDR office. An individual's own report will include all records on the individual and to whom they have been disclosed. States have different record retention requirements, e.g., 10 years. As a result, the individual's report will include anything the State has on file.

## FIGURE 1. SAMPLE NATIONAL DRIVER REGISTER REQUEST

### Name and Address of Air Carrier

#### PART I – NATIONAL DRIVER REGISTER (NDR) REQUEST

This request authorizes the National Highway Traffic Safety Administration (NHTSA) to perform a one-time file search of the National Driver Register (NDR) for information pertaining to me, and to provide the results to the prospective employer listed on this form. This search is to be limited to information about revocations or suspensions still in effect on the date of the request or information entered in the NDR in the past 5 years from the date of the request. Upon my request, the prospective employer listed shall make available to me any NDR information received as a result of this search.

**Type or Print Clearly (Inquiries that cannot be read will be returned to the air carrier)**

Full Legal Name (First, Middle, Last)

Other Names Used (Maiden, Prior Name, Nickname, Professional Name, Other)

Date of Birth (MM/DD/YYYY)

Social Security Number (Optional)

Driver's License Number and State

Sex

Eye Color

Height

Weight

#### PART II – CONSENT TO RELEASE RECORDS

Prospective Employee Understanding: I understand that the National Driver Register (NDR) search will result in a printed report which will be sent only to the prospective employer listed on this form. The report will indicate either: (1) that the NDR does not contain a record matching my identification; or, (2) that the NDR has a probable identification (pointer record) from one state (or more) which will be named on this report. A separate check of state files would be required: (1) to verify the identification; or, (2) to obtain the driving record. Under the Privacy Act, I have the right to request record(s) pertaining to me from the NDR to verify their accuracy.

I hereby, with my notarized signature, authorize a one-time file search of the NDR and any resulting reports to be sent to the prospective employer named on this form.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

#### PART III – NOTICE TO PROSPECTIVE EMPLOYEE

Pursuant to Title 49 United States Code § 44936(f), Records of Employment of Pilot Applicants, as amended, this serves as notice of a request for NDR information concerning your motor vehicle driving record and your right to receive a copy of such information.

Official Use Only		
Date Received	Date Sent	Internal control
Type of Identification <input type="checkbox"/> Valid Photo Driver License <input type="checkbox"/> State-issued Photo ID <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Valid Passport <input type="checkbox"/> Valid Military ID <input type="checkbox"/> Military discharge Papers <input type="checkbox"/> Other (specify) _____		
Employee Verifying Applicant Identification (Print Name)		Signature

NOTARIZATION	
Required only if the NDR File Check Request is not made in person by the prospective employee.	
Sworn to and ascribed before me this _____ day of _____ Stamp 20____ in the city/county _____ State of _____	Notary Public Seal or